

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CHEETAH OMNI LLC,

Plaintiff,

vs.

ALCATEL-LUCENT USA INC., ET AL.

Defendants.

Case No. 6:11-CV-390

JURY DEMANDED

AGREED MOTION TO AMEND THE DOCKET CONTROL ORDER

The parties have agreed, subject to the Court's approval, that the Docket Control Order should be amended as follows:

Description	Original Date	New Date
Cheetah's Final Infringement Contentions due for all defendants other than the Ciena defendants	July 1, 2012	August 3, 2012
Cheetah's Final Infringement Contentions due for the Ciena defendants	July 1, 2012	July 1, 2012 (no change)
Defendants' Final Invalidity Contentions due	September 1, 2012	September 28, 2012
Deadline to Exchange Terms for Construction	September 27, 2012	October 4, 2012
Deadline to Exchange Preliminary Claim Constructions and Extrinsic Evidence	October 11, 2012	October 18, 2012

The above extensions are not sought solely for purposes of delay, but to allow proper development of the issues in the case.

Dated: June 18, 2012

Respectfully submitted,

By: /s/ Wesley Hill

Thomas A. Lewry (MI Bar No. P36399)

(Lead Attorney)

John S. Le Roy (MI Bar No. P61964)

Robert C.J. Tuttle (MI Bar No. P25222)

John M. Halan (MI Bar No. P37616)

John R. Buser (MI Bar No. P64758)

Christopher C. Smith (MI Bar No. P73936)

BROOKS KUSHMAN P.C.

1000 Town Center, 22nd Floor

Southfield, Michigan 48075-1238

Tel: (248) 358-4400 C Fax: (248) 358-3351

Email: tlewry@brookskushman.com

jleroy@brookskushman.com

rtuttle@brookskushman.com

jhalan@brookskushman.com

jbuser@brookskushman.com

T. John Ward, Jr. (TX State Bar No. 00794818)

Email: jw@wsfirm.com

Jack Wesley Hill (TX State Bar No. 24032294)

Email: wh@wsfirm.com

Ward & Smith Law Firm

111 W. Tyler Street

Longview, TX 75601

Tel: 903-757-6400

Fax: 903-757-2323

Eric M. Albritton (TX State Bar No. 00790215)

ALBRITTON LAW FIRM

PO Box 2649

111 West Tyler, 75601

Longview, TX 75606

Tel: (903) 757-8449

Fax: (903) 758-7397

Email: ema@emafirm.com

Joe Kendall (TX State Bar No. 11260700)

Provost Umphrey, L.L.P.

490 Park Street, P.O. Box 4905

Beaumont, Texas 77704

Tel: (409) 835-6000 C Fax: (409) 838-8888

Email: jkendall@provostumphrey.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 18th day of June, 2012.

/s/ Wesley Hill
Wesley Hill

CERTIFICATE OF CONFERENCE

Pursuant to LR CV-7(i), counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and this Motion is unopposed.

/s/ Wesley Hill
Wesley Hill